

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DOUG GROSS	:	BANKRUPTCY CASE NO. 1-17-BK-03059
CREDITOR,	:	
Movant	:	
	:	
vs.	:	Automatic Stay
	:	
WILLIAM S. KELLER	:	
and	:	
ASSISTANT U.S. TRUSTEE	:	
Respondents	:	

MOTION TO LIFT THE AUTOMATIC STAY

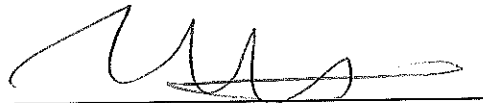
1. The Movant is Douglas Gross, currently of 2500 Lisburn Road, Camp Hill, PA, 17011, a creditor in the above-captioned bankruptcy.
2. One of the Respondents is the debtor, WILLIAM S. KELLER.
3. The other Respondent is the ASSISTANT U.S. TRUSTEE, the Trustee in Bankruptcy.
4. The Movant is the owner of two motor vehicles that the debtor has in his physical possession.
5. Said motor vehicles continue to be titled in Movant's name, to the exclusion of Debtor.
6. As said motor vehicles are not the actual property of the Debtor, they should not be part of the bankruptcy estate.
7. Movant, through counsel, has attempted to have the vehicles returned to him, but these efforts have gone unanswered.
8. The motor vehicles are the subject of ongoing litigation in York County, Pennsylvania, docketed at 2014-SU-2014-74.

9. The Movant lacks adequate protection from losses to his interest in the property during the Debtor's continued possession of the vehicles. It is believed and averred that the vehicles are uninsured, and they are losing market value due to the Debtor's delays.

10. The vehicles are not necessary to an effective reorganization.

WHEREFORE, the Movant, Douglas Gross, requests that your Honorable Court grant relief from the Automatic Stay and authorize him to continue his action through the York County Court of Common Pleas proceedings to reclaim possession of the motor vehicles.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MR', is written over a horizontal line.

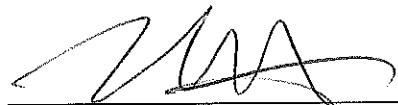
Marc Roberts, Esquire
Attorney for Movant
I.D. No. 34355
149 East Market Street
York, PA 17401
(717) 843-1639

UNITED STATES BANKRUPTCY COURT
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CREDITOR,	:	
Movant	:	
	:	
vs.	:	Automatic Stay
	:	
WILLIAM S. KELLER	:	
and	:	
ASSISTANT U.S. TRUSTEE	:	
Respondents	:	

CERTIFICATE OF CONCURRENCE

I hereby certify that on August 16, 2017, I contacted counsel for the Debtor and have sought their concurrence that an order lifting the automatic stay with respect to the motor vehicles referenced in the above captioned matter may be entered. Counsel did not respond to said request.



Marc Roberts, Esquire
Attorney for Creditor
149 East Market Street
York, PA 17401
(717) 843-1639
I.D. No. 34355

cc: Counsel for Debtor
Trustee

UNITED STATES BANKRUPTCY COURT
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DOUG GROSS : BANKRUPTCY CASE NO. 1-17-BK-03059
CREDITOR, :
Movant :
vs. : Automatic Stay
WILLIAM S. KELLER :
and :
ASSISTANT U.S. TRUSTEE :
Respondents :

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF YORK : ss

Personally appeared before me, a Notary Public, Marc Roberts, Esquire, attorney for the within Movant, who being duly sworn states that the facts set forth in the foregoing Motion for Judgment by Default are true and correct to the best of his knowledge, information and belief.

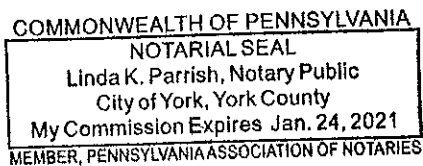


MARC ROBERTS, ESQUIRE

Sworn and subscribed to
before me this 17th day of
May, 2018.



Notary Public



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re:

William S. Keller, a/k/a Scott Keller, d/b/a Scott's Towing, Debtor	: Chapter 13 : :
Douglas P. Gross, Movant	: :
vs.	: No. 17-03059 HWV : :
William S. Keller, a/k/a Scott Keller, d/b/a Scott's Towing, Debtor	: : :
Charles J. DeHart III, Esquire	: 11 U.S.C. Section 362

NOTICE OF MOTION, RESPONSE DEADLINE AND HEARING DATE

Douglas P. Gross has filed a Motion for Relief from Stay with the Court for Relief from the Automatic Stay.


Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney.)

1. If you do not want the Court to grant the relief sought in the Motion, then on or before 7/30, 2018, you or your attorney must do all of the following:
 - a. File an answer explaining your position at:
United States Bankruptcy Court
Ronald Reagan Federal Building
222 Walnut Street, Room 320
Harrisburg, PA 17108

If you mail your answer to the Bankruptcy Clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated above; and

- b. Mail a copy to the Movant's attorney:
Marc Roberts, Esquire
149 East Market Street
York, PA 17401

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the Court may enter an order granting the relief requested in the Motion.
3. A hearing on the Motion is scheduled to be held before the Honorable Henry W. Van Eck, the United States Bankruptcy Judge, in Room 320 at the United States Bankruptcy Court, Ronald Reagan Federal Building, 228 Walnut Street, Harrisburg, PA 17108, on 8/21, 2018, at 9:30 a.m./p.m., or as soon thereafter as counsel can be heard, to consider the Motion.
4. If a copy of the Motion is not enclosed, a copy of the Motion will be provided to you if you request a copy from the attorney named in paragraph 1(b).
5. You may contact the Bankruptcy Clerk's office at 717/901-2800 to find out whether the hearing has been cancelled because no one filed an answer.



Marc Roberts, Esquire
Attorney for Movant/Applicant
Telephone: 717/843-1639

Date: June 20, 2018

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DOUG GROSS	:	BANKRUPTCY CASE NO. 1-17-BK-03059
CREDITOR,	:	
Movant	:	
	:	
vs.	:	Automatic Stay
	:	
WILLIAM S. KELLER	:	
and	:	
ASSISTANT U.S. TRUSTEE	:	
Respondents	:	

O R D E R

AND NOW, TO WIT, this _____ day of _____, 2018,
upon consideration of the Motion to Lift Automatic Stay it is
ordered that the Automatic Stay is hereby lifted with regard to
two motor vehicles, titled to Doug Gross, and DOUGLAS GROSS is
hereby authorized to take appropriate action in the Pennsylvania
courts to obtain possession of the said property.

Further ordered that Rule 4001(a)(3) is not applicable and
the Creditor may immediately enforce and implement this Order
granting relief from the automatic stay.

BY THE COURT:

BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re:

William S. Keller, a/k/a Scott Keller, d/b/a Scott's Towing, Debtor	:	Chapter 13
	:	
	:	
Douglas P. Gross, Movant	:	
	:	
	:	
vs.	:	No. 17-03059 HWV
	:	
William S. Keller, a/k/a Scott Keller, d/b/a Scott's Towing, Debtor	:	
	:	
	:	
Charles J. DeHart III, Esquire	:	11 U.S.C. Section 362

CERTIFICATE OF SERVICE


I, Marc Roberts, Esquire, attorney for Movant, do hereby certify that true and correct copies of the foregoing Motion of Douglas P. Gross for Relief from Automatic Stay and Notice of Motion, Response Deadline and Hearing Date have been served, on this date, by first class mail and/or electronic means upon those listed below:

William S. Keller, a/k/a Scott Keller, d/b/a Scott's Towing, Debtor
2735 Roosevelt Avenue
York, PA 17408

Deborah A. Hughes, Esquire, attorney for Debtor
2080 Linglestown Road, Suite 201
Harrisburg, PA 17108

Charles J. DeHart III, Esquire, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Office of the US Trustee
228 Walnut Street, Suite 1190
Harrisburg, PA 17101



Marc Roberts, Esquire
Attorney for Movant/Applicant

Date: June 30, 2018